

SEVENTY-SIXTH DAY

Continued

(Friday, June 13, 1941)

The Senate met at 10:00 o'clock a. m. and was called to order by the President.

House Bill on First Reading

The following bill, previously received from the House; was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 1082, to Committee on Civil Jurisprudence.

Reports of Standing Committees

Senator Smith, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 1081, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Brown County except a minnow seine not more than twenty (20) feet in length when used for the purpose of taking minnows for bait; prohibiting the use of a seine or net for any purpose in the waters of Lake Brownwood; providing a penalty; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Senator Weinert, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 1082, A bill to be entitled "An Act to amend H. B. No. 146, Acts of the Forty-seventh Legislature of Texas, authorizing the commissioners' court in all counties in the State of Texas to appropriate from the General Fund not more than

five (5c) cents on the One Hundred (\$100.00) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties; and providing for an election authorizing such appropriation and creating and providing for the appointment of a Board of Development devoted to the growth, advertisement, and development of such counties; providing said appropriation to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated; prescribing certain duties for said board; making the Act cumulative of other laws authorizing such counties to appropriate such money; validating sums appropriated or expended for such purposes under previous Acts; and declaring an emergency."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Senator Van Zandt, by unanimous consent, submitted the following report:

Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred:

H. B. No. 1061, A bill to be entitled "An Act to amend Section 1 of S. B. No. 41, Acts of the Forty-second Legislature, Regular Session, approved May 5, 1931, being an Act defining group life insurance; providing that no policy or group life insurance shall be issued or delivered unless and until a copy of the form thereof has been filed with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of any such insurance; providing the method of computing the reserves on such policies; prohibiting the issuance of any contract of life insurance covering a group except as provided by the provisions of the Act; and declaring an emergency."

Have had the same under consideration and we are instructed to report it back to the Senate with the recommendation that it do pass and be

mimeographed and no otherwise printed with amendment hereto attached.

VAN ZANDT, Chairman.

Senator Sulak, by unanimous consent, submitted at this time, the following report:

Austin, Texas,
June 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 407, A bill to be entitled "An Act to provide for the recording of official discharge of soldiers, sailors, and other persons in the service of the United States under the Selective Training and Service Act of 1940, Public Number 783, Seventy-sixth Congress, Chapter 720, Third Session, S-4164, approved September 16, 1940; authorizing the commissioners' court to expend county funds to provide necessary books for said purpose; making it the duty of the county clerk of each county to make such record; directing the payment to the county clerk out of county funds of a fee for said services; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be printed.

RAMSEY, Chairman.

Senator York, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 188, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of the Forty-sixth Legislature, 1939, page 148, Section 1, relating to and designating the Supreme Judicial Districts of the State of Texas, by transferring Coleman County from the Third Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Third Supreme Judicial District in cases ap-

pealed from Coleman County, in which the transcript shall have been filed in said court prior to the date this Act takes effect; provided that in all cases from Coleman County in which appeal or writ of error has been perfected, but the transcript not filed in the Court of Civil Appeals for the Third Supreme Judicial District prior to the effective date of this Act, the record of such case or cases shall be filed in the Court of Civil Appeals for the Eleventh Supreme Judicial District of Texas, which shall have jurisdiction; provided further, that in any case from a trial court in Coleman County, in which appeal or writ of error may be perfected after the passage of this Act, but before its effective date, if the transcript be filed in the Court of Civil Appeals for either the Third or the Eleventh Supreme Judicial District of Texas within the time otherwise provided by law, such appeal shall not be dismissed for failure to file the transcript in the proper court, but if filed in the wrong court, the clerk thereof shall transmit the record, together with a transcript of any orders made in the case, to the proper court having jurisdiction; and declaring an emergency."

Have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

YORK, Vice Chairman.

Motion to Reconsider Vote on House Bill No. 898

Senator Chadick moved that the vote by which H. B. No. 898 was passed on yesterday be reconsidered and asked to have the motion spread upon the Journal.

Senate Bill 268 on Passage to Engrossment

The President laid before the Senate as the unfinished special order on its passage to engrossment (the bill having been read second time on Tuesday, May 27, 1941):

S. B. No. 268, A bill to be entitled "An Act authorizing the State Board of Control to construct, furnish, equip, operate and maintain a building and to purchase a site therefor, to be leased to the State of Texas and its various agencies, departments and bureaus, now existing or hereafter created, whether partly or

wholly supported by the State of Texas, for office purposes, and any part of said building not presently needed for use by the State to be leased to other tenants, authorizing the State Board of Control to issue bonds payable solely from the rentals to be derived from said leases for the purpose of paying the cost of such construction, furnishing and equipment and sit, authorizing the State Board of Control to enter into covenants and agreements in that connection, providing remedies in the event of a default in the payment of said bonds, providing that such bonds shall be legal investments for specified institutions and funds in the State of Texas and shall be eligible to secure the deposit of public funds in the State of Texas, exempting such bonds from taxation; and declaring an emergency."

With the following substitute amendment by Senator Isbell pending:

Amend S. B. No. 268, by adding the following to be Section 1-A, as follows:

"There is hereby created a Joint Legislative Committee composed of three (3) members from the Senate, to be appointed by the Lieutenant Governor, and three (3) members from the House of Representatives, to be appointed by the Speaker of the House.

This Joint Legislative Committee shall approve all contracts for and incident to the building of said office building and also all contracts for the purchase of sites for said building and shall approve all contracts for the employment of architects and engineers. The Board of Control is hereby directed that when they advertise for bids they shall submit to said Joint Legislative Committee their recommendations, after which said Joint Legislative Committee shall approve or reject any bids so submitted by the Board of Control incident to said office building or the purchase of sites.

Said Joint Legislative Committee shall from time to time inspect or cause to be inspected any sites considered or shall inspect or cause to be inspected said building during the course of its construction.

Members of said committee shall receive their necessary expenses in carrying out the duties herein imposed on said committee."

Question—Shall the amendment be adopted?

(President Pro Tempore Cotten in the Chair.)

Senate Joint Resolution 20

On motion of Senator York and by unanimous consent, the regular order of business was suspended to permit consideration of S. J. R. No. 20 at this time.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 20, Proposing an amendment to the Constitution of the State of Texas by amending Section 33 of Article 16, of the Constitution of Texas so as to permit the Accounting Officers of this State to draw and pay warrants for salaries to officers of the United States Army or Navy who are assigned to duties in State institutions of higher education.

The resolution was read second time.

Senator York offered the following amendment to the resolution:

Amend S. J. R. No. 20 by inserting the date of the election to be held, "November 3, 1942." Amend the caption accordingly.

The amendment was adopted.

The resolution was passed to engrossment by the following vote:

Yeas—23

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Shivers
Fain	Smith
Formby	Stone
Graves	Sulak
Hazlewood	Van Zandt
Lanning	Vick
Lovelady	Weinert
Martin	York
Mauritz	

Nays—2

Beck	Isbell
Absent	
Kelley	Ramsey
Lemens	

Absent—Excused

Hill	Winfield
Spears	

Senate Joint Resolution 20 Adopted

Senator York moved that the Senate rule requiring joint resolutions to take the course of a bill be suspended and that the resolution be adopted.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Lanning	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	York

Nays—2

Beck	Isbell
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Absent

Kelley	Lemens
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Absent—Excused

Hill	Winfield
Spears	

Communication from the President of the United States

The President Pro Tempore laid before the Senate, and had read, the following communication from the President of the United States:

THE WHITE HOUSE
WASHINGTON

June 10, 1941.

Dear Bob:

Thank you for your kindness in sending me a copy of S. C. R. No. 68 adopted by the Texas State Legislature. To know that I have the full support of the members of the Legislature and citizens of Texas, in our efforts for national unity, is inspiring indeed. Please convey to the members of the Senate and House an expression of my deep appreciation for the spirit of loyalty which has prompted their action.

Very sincerely yours,
FRANKLIN D. ROOSEVELT

Hon. Bob Barker,
Secretary of the Senate,
Austin, Texas.

On motion of Senator Fain, the communication was ordered printed in the Journal.

House Bill 425 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended to permit consideration of H. B. No. 425 at this time.

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 425, A bill to be entitled "An Act to amend Article 5949, Revised Civil Statutes of 1925, as amended by Acts of the Forty-sixth Legislature, page 498, Regular Session, 1939, so as to provide for appointment of notaries public by the Secretary of State of the State of Texas; prescribing their qualifications and terms of office; providing that this Act shall not affect the terms of those persons who have qualified as notaries public prior to the effective date hereof; and declaring an emergency."

The bill was read second time.

Senator Mauritz offered the following amendment to the bill:

Amend H. B. No. 425 by deleting all of Section 1 and inserting in lieu thereof the following:

Section 1. Article 5949 of the Revised Civil Statutes of 1925, as amended by Chapter 9 of the Acts of the Regular Session of the Fortieth Legislature, is amended hereby so as to read hereafter as follows:

"Article 5949. The Secretary of State of the State of Texas shall appoint a convenient number of notaries public for each county. Notaries public may be appointed at any time, but the terms of all notaries public shall end on June 1st of each odd numbered year. To be eligible for appointment as notary public, a person shall be at least twenty-one (21) years of age and a resident of the county for which he is appointed, provided, however, that where such person resides within the limits of any incorporated city, town or village located in two counties, said person may be appointed notary public for either such county.

The amendment was adopted.

The bill was passed to third reading.

House Bill 425 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 425 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Spears	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Fain	Moffett
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	York

Nays—4

Chadick	Moore
Cotten	Van Zandt

Absent—Excused.

Hill	Winfield
Spears	

Senate Bill 501 on Second Reading

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 501, at this time.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 501, A bill to be entitled "An Act providing that corporation may be formed for the purpose of engaging in mining, agriculture, and stock raising; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 501 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 501 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill	Winfield
Spears	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Aikin	Martin
Beck	Moore
Brownlee	Ramsey
Chadick	Shivers
Fain	Smith
Formby	Stone
Graves	Van Zandt
Hazlewood	Vick
Isbell	Weinert
Kelley	York
Lovelady	

Nays—6

Cotten	Metcalfe
Lanning	Moffett
Mauritz	Sulak

Absent

Lemens

Absent—Excused

Hill
Spears

Winfield

Senate Bill 468 on Second Reading

On motion of Senator Graves, and by unanimous consent, the regular order of business was suspended to permit consideration of S. B. No. 468 at this time.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 468, A bill to be entitled "An Act to provide for the validating and making effective, free and discharged, subsequent to March 30, 1925, from the Two (\$2.00) Dollars per acre annual rental payment of certain oil and mineral leases and renewals thereof, heretofore issued on river beds and channels owned by the State of Texas, under the Chapter eighty-three of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, and Chapter 140 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 468 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 468 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Hill
Spears

Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Beck	Lovelady
Brownlee	Martin
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Nays—4

Aikin	Metcalf
Mauritz	Sulak

Absent—Excused

Hill
Spears

Winfield

(President in the Chair.)

Senate Bill 268 on Passage to Engrossment

The Senate resumed consideration of the pending special order, same being S. B. No. 268, on its passage to engrossment, with substitute amendment by Senator Isbell pending.

Senator Moore submitted at this time the following proposed amendment to the bill:

Amend S. B. No. 268 by striking out all between the enacting clause and the emergency clause and substituting in lieu thereof the following:

"There is hereby appropriated to the State Board of Control only funds in the State Treasury not otherwise appropriated, the sum of Fifty Thousand (\$50,000.00) Dollars or so much thereof as may be necessary for the purpose of paying the expenses of preparing plans and specifications for a State office building and obtaining information as to possible location of same."

Question — Shall the substitute amendment by Senator Isbell be adopted?

Conference Committee on House Concurrent Resolution 223

Senator Fain called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. C. R. No. 223.

Senator Fain moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Martin, Isbell, Fain, Lovelady and Brownlee.

Conference Committee on House Bill 199

The President, in accordance with a motion previously made and adopted, appointed the following conferees on H. B. No. 199 on the part of the Senate: Senators Moffett, Hazlewood, Moore, Shivers and Stone.

Concurrence in House Amendments to Senate Bill 125

Senator Van Zandt called S. B. No. 125 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments to the bill.

Senate Bill 127 on Second Reading

On motion of Senator Hazlewood, and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 127 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 127, A bill to be entitled "An Act amending Articles 777 and 779 of the Code of Criminal Procedure of the State of Texas of 1925, defining certain terms; providing for penalties, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendments to the bill:

(1)

Amend S. B. No. 127, by striking out all of paragraphs No. 2 and 3, under Section 1 thereof, and inserting in lieu thereof the following:

"2. By 'good behavior' is meant that the defendant shall not be convicted of any felony, or any character or grade of the offenses of theft, embezzlement, swindling, conversion, theft by bailee, or any fraudulent acquisitions of personal property."

(2)

Amend S. B. No. 127, by striking out all of paragraph No. 2, under Section 2 thereof, being lines 48 to 58 inclusive, and inserting in lieu thereof the following:

"2. Upon the final conviction of the defendant of any character or grade of the offenses of theft, embezzlement, swindling, conversion, theft by bailee, or any fraudulent acquisition of personal property, pending the suspension of sentence, the court granting such suspension may cause a capias to issue for the arrest of the defendant, if he is not then in custody of such court, and during the term of the court may pronounce sentence upon the original judgment of conviction, and may cumulate the punishment of the first with the punishment of any subsequent conviction or convictions, and in such cases no new trial shall be granted in the first conviction. The term 'may,' as herein used, shall not be construed to be mandatory."

(3)

Amend the caption to conform.

The amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 127 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 127 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moore
Hill	Ramsey
Isbell	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Sulak
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalfe	York
Moffett	

Absent—Excused

Spears	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 504 on First Reading

Senator Moore moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears	Winfield
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The following bill then was introduced, read first time and referred to the Committee on State Affairs:

By Senators Chadick, Moore, Formby and Fain:

S. B. No. 504, A bill to be entitled "An Act requiring employers to protect the contractual and/or seniority rights of employees entering military service; making certain exceptions; defining 'Employer of Labor'; providing penalties for the violation of this Act; and declaring an emergency."

Senate Concurrent Resolution 78

Senator Van Zandt, by unanimous consent, offered the following resolution at this time:

S. C. R. No. 78, Authorizing certain corrections in enrolled copy of S. B. No. 125.

Whereas, There are certain typographical errors made in House amendments to S. B. No. 125; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the enrolling clerk of the Senate is hereby authorized and directed to make the following corrections in said S. B. No. 125:

(1) In Section 1 of said bill, change the semi-colon occurring in Article 4114, after the words "As the case may be" to a comma;

(2) In Article 4116 (1) of the same Section of said bill, change the word "Adjudicated" to "Adjudged";

(3) In Section 3, and in the 5th line of Article 4128, insert the word "as" immediately following the words "shall continue.";

(4) In Section 5 of said bill, and in the sixth line of Article 4272, as amended, change the figures "4113" to "4115," so that the reference shall be to Article 4115 of the Revised Civil Statutes instead of Article "4113";

(5) And to add the following caption thereto:

A bill to be entitled

"An Act to amend Title 69 of the Revised Civil Statutes of Texas, 1925, by amending Articles 4113, 4114, 4116 and 4117 of Chapter 2 of said Title 69 relating to the commencement of proceedings for the appointment of guardians of the persons and estates of minors, persons of unsound mind, habitual drunkards and persons for whom it is necessary to appoint guardians to collect funds from the State and/or Federal Government and providing the kind and character of process that shall be issued in such cases and the manner in which such process shall be served; and by amending Article 4121 of Chapter 3 of said Title 69, relating to persons entitled to be appointed guardians, and providing who shall be appointed guardians for persons entitled to receive funds from the State and/or Federal Government; and by amending Articles 4122 and 4123 of Chapter 3 of said Title 69 providing that certain

persons shall be disqualified and shall not be appointed guardians and providing for the appointment of guardians for persons entitled to receive funds from the State and/or Federal Government and providing for the appointment of guardians of estates of persons adjudged insane or habitual drunkards by courts of competent jurisdiction in other states and territories of the United States; and by amending Article 4128 of Chapter 3 of said Title 69 relating to the termination of guardianships, and providing for the termination of guardianship proceedings brought for the purpose of receiving funds from the State and/or Federal Government; and by amending Articles 4228 and 4229 of Chapter 10 of said Title 69 providing for the acceptance of resignations of guardians and the appointment of successor guardians upon the death, resignation or removal of guardians; and by amending Article 4272 of Chapter 12 of said Title 69 providing for the appointment of guardians of persons adjudged insane or habitual drunkards after the issuance and service of process as therein provided; and making further and additional provisions as to evidence required for the appointment of guardians to receive funds from the State and/or Federal Government; and making further additional provisions for waiving court costs and fees in certain cases; and for other purposes; and declaring an emergency."

By unanimous consent, the resolution was considered and adopted at this time.

Reports of Standing Committees

Senator Weinert, by unanimous consent, submitted at this time the following report:

Senate Chamber,
Austin, Texas,
June 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 504, A bill to be entitled "An Act requiring employers to protect the contractual and/or seniority rights of employees entering military service; making certain exceptions; defining 'Employer of Labor'; providing penalties for the violation of this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Sulak, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 901, A bill to be entitled "An Act making it unlawful to offer for sale eggs which have been placed in an incubator for hatchery purposes without labeling such eggs as 'incubator eggs'; providing a penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

SULAK, Chairman.

Adjournment

On motion of Senator Metcalfe, the Senate, at 12:15 o'clock p. m., adjourned until 10:00 o'clock a. m. Monday, June 16, 1941.

SEVENTY-SEVENTH DAY

(Monday, June 16, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	